IN THE HIGH COURT OF BOMBAY AT GOA

APPEAL UNDER E.S.I. NO. 3 OF 2007

THE REGIONAL DIRECTOR EMPLOYEES
STATE INSURANCE CORPORATION ... Appellant
Versus
M/S. MENEZES COSMETIC PVT. LTD., ... Respondent

Mrs. A. A. Agni, Advocate for the appellant.

Coram:- R. S. MOHITE, J.

Date:- 4th August, 2007

P.C.

Heard Advocate for the appellant. It is sought to be contended that there is substantial error of law, as the exemption granted under the Notification dated 18.1.1988 will not apply to the three field officers, as there is no finding that they are employed in areas where the provisions of Chapters IV and V of the Employees' State Insurance Act, 1948 is not made applicable. It is seen from clause (B) of the said Notification that in addition to the aforesaid, exemption is also granted to the employees who are employed to do the work in connection with administration of the said factory or establishment or any part, department or branch thereof or with the purchase of raw materials or the distribution or sale of the produce of the said factory or establishment. In my view, this covers the said three employees of the respondent who are working outside the State of Goa.

2. It was sought to be argued that the exemption under Notification dated 18.11.1988 only applies to a pharmaceutical company. On reading of the said notification, it is seen that there is no such limitation. The argument is based upon a fact that a copy of the said notification has been sent to a particular pharmaceutical company. In my view, that will

not alter the purpose of the said notification. There is no substantial question of law involved in the appeal. The appeal is dismissed.

R. S. MOHITE, J.

ssm.